

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRIAN N. DRAKE,

Petitioner,

-v-

UBS FINANCIAL SERVICES, INC.,

Respondent.

FILED
IN CLERKS OFFICE

2004 OCT -8 A 11:18

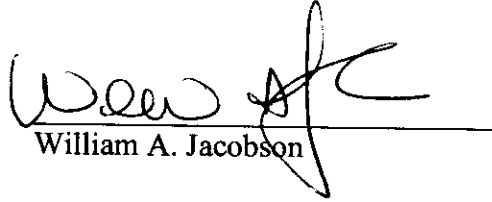
U.S. DISTRICT COURT
DISTRICT OF MASS.
C.A. No. 04-11426

**AFFIDAVIT OF WILLIAM A. JACOBSON IN SUPPORT OF DRAKE'S
AMENDED MOTION TO VACATE ARBITRATION AWARD
OR ALTERNATIVELY, REQUEST FOR REMAND**

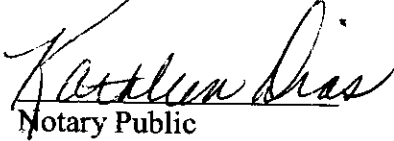
WILLIAM A. JACOBSON, being duly sworn, states as follows:

1. I was counsel for Petitioner Brian N. Drake ("Drake") in the arbitration giving rise to this case.
2. I annex the following arbitration pleadings, transcript pages, and exhibits, referenced in the accompanying Memorandum:
 - A. Statement of Claim;
 - B. Drake's Amended Answer and Pre-Hearing Brief;
 - C. UBS' Pre-Hearing Brief (w/out exhibits);
 - D. Drake's Pre-Hearing Reply Brief (w/out exhibits);
 - E. Transcript (selected pages);
 - F. Transcript II (selected pages);
 - G. UBS Exhibit 50 (selected pages);¹
 - H. NASD Arbitrator's Manual (selected pages).

¹ For the Court's convenience, we have marked with an arrow in the right hand margin those time entry descriptions that are at issue on this motion.


William A. Jacobson

Sworn to before me this
7th day of October, 2004


Notary Public

MY COMMISSION EXPIRES 07/27/06

CERTIFICATION OF SERVICE

I hereby certify that on this 7th day of October, 2004, I served a true and correct copy of the foregoing, via first class mail, postage prepaid, upon the offices of:

Kevin G. Mahoney, Esq.
Menard, Murphy & Walsh LLP
60 State Street, 34th Floor
Boston, MA 02109

William M. Ezjak, Esq.
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